

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

June 30, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on June 23 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Case

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending June 29, 2011 in the amount of \$ 253,993.55 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Carpenter; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of June 23 – June 29, 2011
- Report from the Building Inspector's Office from February 10 – June 24, 2011
- Statement of cash receipts from the Library from May 1 – May 31, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Carpenter

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS:

5. **AUDIT OF CLAIMS:**

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 213,974.42 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Tiffer; Seconded by Councilor Carpenter
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. **PERSONS ADDRESSING COUNCIL: None**

7. **OTHER ITEMS:**

Motion to remove item 7A from the Table

By Councilor Tiffer; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted

A. RESOLVED: In accordance with the request therefore the Common Council approves Traffic Zone Designation No. 935 to establish “two-way traffic on Steltzer Road from Broad Street to a point approximately 650-ft south of Broad Street which point coincides with the southerly exit from the now or formerly Plattsburgh College Suites.”

By Councilor Tiffer; Seconded by Councilor Jackson
Discussion:

Councilor Carpenter said this has been a pretty tough issue for me. In truth on paper I’d love to support it and it sounds like such a great idea in theory but in real life there’s no way that its going to work. My problem is there’s a very small window of time in the morning, I drive this route. At eight, I bring kids to school I pick kids up. From about ten to quarter to eight until about ten to fifteen after eight traffic is atrocious in that intersection coming down past Steltzer going to North Catherine, South Catherine back up the other way. [**Councilor Carpenter** further described the traffic issues in detail illustrating his problem with this resolution]. I just can not support this, I’m sorry, it’s a mistake. We need to think about this a little bit more.

Councilor Tiffer said I think you made a great argument for making it a right turn only. Your big argument was for left bound traffic coming out of Steltzer and I completely agree with you. A scenario such as that will occur in the morning rush hour so I have no problem with changing this resolution so that it is only a right turn only coming out of Steltzer that would allow traffic to smoothly flow in to on coming traffic on Broad.

Councilor Calnon said I would just like to piggy back on that. If it were a right turn only exit it is then less attractive to somebody who wants to use it. I think the engineer's intent here is to be sure that in particular any trucks that have to enter the school district building is the big issue have no way to get out. They can not go around corner by the cemetery; they have the choice of only going back to Broad. So if all traffic can go back to Broad but then only have to turn right that's not a good option for someone who wants to go to the left because it's a right turn only. It would be, for a car, quicker to go all the way down Steltzer and coming back up Catherine the way they are constrained to do now. So I think with a right turn only option this is the way to go.

Councilor Jackson said I went and I looked at this before the meeting and the only way that I am going to agree to this is with a right turn only sign and then the other think I'd like to see is a double solid line painted on the street as well because people are so used to that being a one-way street so that people realize its two-way traffic.

Councilor Carpenter said is someone making a motion to change that because as the motion stands now it does state anything about right turn only.

Councilor Jackson made a motion to amend resolution to:

RESOLVED: In accordance with the request therefore the Common Council approves Traffic Zone Designation No. 935 to establish "two-way traffic on Steltzer Road from Broad Street to a point approximately 650-ft south of Broad Street which point coincides with the southerly exit from the now or formerly Plattsburgh College Suites to include the installation of a Right Turn Only sign."

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion:

Councilor Carpenter said you will put a sign that says "Right Turn Only" off Steltzer. Mike Brodi, we have signs downtown that say "No Parking/One hour parking" how many approximately do we have.

Superintendent of Public Works Mike Brodi said "No Parking" signs approximately 1,003.

Councilor Carpenter said we have 1,003 signs downtown telling people "No Parking." Desi how many tickets a month average, ball park, do you think Mr. Leavine writes?

Police Chief Desmond Racicot said approximately 394.

Councilor Carpenter said close to 400 tickets a month are written to people that disobey over 1000 signs in downtown Plattsburgh. What makes you believe that they are going to obey this "Right Turn Only" sign? Someone explain that to me please.

Councilor Tiffer said can I just give the same answer that was given to me last week when I said people are going the wrong way, enforce it. We're not going to allow people to break the law that's

why we have enforcement. We're going to designate it "Right Turn Only" of course we can't control people, however, we are going to set restrictions to allow for a safe departure on to Broad.

Councilor Carpenter said we have a sign right now on the end of George Angel Drive big it's hard to miss "Right Turn Only." 7 to 9 o'clock in the morning, 2 to 4 o'clock in the afternoon on school days, I drive this, I pick up my kids at school, I drop them off at school, I am on George Angel Drive everyday. I see people disobey that sign, I'm not talking once or twice a month, I'm not talking once or twice a week, I'm talking daily. I see people disobey that sign. In fact, the last 3 or 4 weeks before school let out there was a policeman there who ticketed a car that went straight thru. He was parked on Prospect giving a ticket not 50 feet from the intersection and while he was parked giving the ticket 3 people went left against that sign with the cop sitting right there. I don't understand how you can expect that that's not going to happen at Steltzer but if you can make it not happen at Steltzer then let's take this great idea of yours and make it also not happen at George Angel Drive because we have a traffic problem at George Angel Drive and from my understanding right now we don't really have a problem at Steltzer unless there is something that I'm not seeing. Is there a problem on Steltzer that we're trying to correct and if so what is it?

Councilor Jackson said the problem we are trying to correct is once the Saranac River Trail was installed where the road curves by the cemetery trucks are finding it difficult especially in the winter when the snow is plowed to get around that curve and that's basically the reason for this. It's not to alleviate traffic from College Suites its to fix a problem that trucks are having when a truck had to back down Steltzer because it couldn't make the turn. That's the only reason that this request was put forward was to make it a two-way street for truck traffic.

Councilor Rabideau said isn't there signs at the beginning of Steltzer saying "No Truck Traffic" right now.

Councilor Jackson said you can't have "No Truck Traffic" because there's businesses that have trucks delivering there.

Councilor Rabideau said what's being delivered, UPS? UPS can't make it through?

City Engineer Kevin Farrington said UPS can make it through.

Councilor Rabideau said UPS can make it through. So what truck can't make it through, what trucks are going through there? Is says "No Trucks."

City Engineer Kevin Farrington said plow trucks can, school buses can, utility trucks can.

Councilor Rabideau said there's no school buses going down there, there's no school.

City Engineer Kevin Farrington said occasionally there are.

Councilor Calnon said but you said "they can."

City Engineer Kevin Farrington said they can the only ones that can't are the very large trucks.

Councilor Rabideau said but what would a large truck be going down there for, which large trucks? What large trucks would be going down there?

City Engineer Kevin Farrington said I don't know.

Councilor Rabideau said oh you don't know but there's large trucks and there's a sign that says "No Trucks." If you had to make a delivery why couldn't you make a deliver to the Broad Street School by the north door? I don't understand this, you just said you don't know what large trucks and there's a big sign that says "No Trucks."

City Engineer Kevin Farrington said we had a report that once or twice a large truck had to back up. I don't know where his destination was.

Councilor Rabideau said ok they should have read the sign.

Councilor Case said my question is, is there a sign that says "No Trucks."

City Engineer Kevin Farrington said but the rule is unless you are making a local delivery. So a truck's not violating the law if it goes down there to make a local delivery.

Councilor Rabideau said but you said UPS can get through ok what other trucks are going to where? If there going to College Suites there are two exits one that goes straight ahead and you go down the road and make another exit on Broad. Two exits.

City Engineer Kevin Farrington said most people use the Broad Street exit. Traffic study said that 90% of the people use Broad Street it only something like 5 cars per peak hour might use Steltzer which is a lot smaller than at the high school.

Councilor Calnon said this is part of the issue we talked about last week and why we ended up putting this back on the table is that we seem to missing some information and we're still missing some information. It appears that if College Suites has their own solution then the only real question is it because of the school administration building and perhaps we should have asked them that if there are deliveries that are impeded because they can't get major trucks in to that building before we make a major change in how we're routing traffic.

Councilor Carpenter said say that the Johnson's, I think you know where the Johnson property is on Steltzer, were getting a delivery how would your fix help that truck? There property is passed the place where it becomes one lane; they have a legitimate reason to get a delivery. How would we help their truck or are we just helping specific delivery places trucks?

Councilor Tiffer said we could argue hypothetical situations all day. You could say what about on the other side of Steltzer. That's not the issue at hand so I don't think a hypothetical is necessary and I find it really hard to believe that you can't fathom delivery trucks for either College Suites or the

school district utilizing Steltzer. I don't know how that's so difficult to understand a delivery truck may need to use Steltzer to deliver to these two buildings.

Councilor Calnon said the issue is the frequency. If this is something that comes up maybe let's use your Johnson example lets suppose that they did need something the roads too narrow for the truck in the first place they need special dispensation to get down there. Maybe we have a policeman go down and escort the vehicle in and out. If this is a problem that comes up once or twice a year then there is a way to have an exception. If this is a continuous problem then we need to take a look at a better solution. My feeling at this point is I still don't understand what the scope of the problem is. I understand the concept and I agree whole heartedly if there needs to be a substantial amount of traffic on the northern part of Steltzer that we need to do something about the traffic. But if it's just a hypothetical situation or its a once or twice a year occurrence I don't see making a major traffic change because of that.

Mayor Kasprzak said this is very simple to me. You have an engineer that gives you his correspondence and his opinion. I don't just, no disrespect I'm using Kevin as an example because he wrote the email very precisely, I look at everybody. I asked Mr. Brodi how he felt. I asked the Chief, did everybody around the table go talk to the Chief about this? Did everybody talk to Mike about it? Did anybody talk to Bill Treacy in case there were some lights or some electrical stuff? I talked to all of them and I guarantee you not everybody at this table did. Because some people around the table took one correspondence from a very qualified City Engineer and they made their decision based on that. I talked to all those department heads and my feeling as the majority after speaking with all of them was that it wasn't the right decision to change the traffic pattern. How simple can it be? We pay these people money they give us their advice I talk to everyone of them and I had to make an informed decision based on that. So we can talk hypothetical's, do you think that my kids if they lived at College Suites, and I know them very well they just graduated, are going to take a right to go to class and go all the way to Oak Street when they're late for class and drive up Court Street and hurry up and find a parking space. They're going to turn left and if nobody believes that you're all crazy. Now how many accidents are there going to be I don't have a clue but when there's one or two or three we're going to end up having some discussions with the public about this. My concern is a "Right Hand Turn Sign" isn't going to stop the problem of people going left. Ok that's very simple if you all think that's going to happen because we stick a "Stop" sign or a "Right Turn Only" then your all naïve because it's going to happen. I talked to 4 department heads and 3 of them said they don't think it's the best thing to do. That's how I would vote. You all have your opinions it doesn't look like you agree with the other 3 or myself, that's fine. Mark's right about this; you can talk about hypothetical's all you want to let's vote on it and move on.

City Engineer Kevin Farrington said I did talk to the school district and they said they do get regular deliveries sometimes with large trucks and I do believe they were the one or two incidents where someone had to back out. I spent a lot of time on Steltzer and watched traffic and what I noticed on the north end where there are two lanes is I saw a ton of non compliance. I saw a lot of people cutting through the Johnson/Raville lot. I had a lot of conversation out there got a lot of people involved that it might help out. The one thing is if you really want to go left you are going to go left. Whatever you feel is the right thing is fine.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
(Councilor Carpenter, Rabideau, Calnon, Case voted in the negative. Councilor Tiffer and Jackson
voted in the affirmative.)

ACTION TAKEN: Defeated

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the
Plattsburgh YMCA to conduct their 7th annual “Tour de Rand Hill” bike race on July 16, 2011.

By Councilor Case; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Bill
Treacy, Manager MLD to write-off unpaid final bills from April 1, 2010 to April 30, 2010 in the total
amount of \$3,144.15. The percentage of write-offs for this period is .23%.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves that the
Mayor be authorized to sign the renewal of USCGA license agreement: The City of Plattsburgh
renews the license agreement for the use of the Old Airbase Marina Property with the United States
Coastguard Auxiliary Plattsburgh Flotilla 15-8 for one year from 6/1/2011 to 5/31/2012, on the terms
set forth in the license agreement between the parties for 2010.

By Councilor Carpenter; Seconded by Councilor Calnon

Discussion:

Councilor Carpenter made a motion to table until we can get more information personally I’d like
to know if they need to get vehicles in and out of there. If it’s important that they have access through
that road way

Councilor Rabideau seconded.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(Councilors Carpenter, Tiffer, Rabideau and Case voted in the affirmative. Councilors Calnon and
Jackson voted in the negative.)

ACTION TAKEN: Tabled

Follow up Action:

Councilor Carpenter said I'd like to request that maybe someone from the Coast Guard can answer what kind of access they would need.

Mayor Kasprzak said yes I actually have 2 other homework assignments. Number one, Mr. Clute whispered in my ear that maybe possibly the Clare and Carl's building may be an option if they clean it up for this year. Maybe the other option is Wilcox Dock although they are looking for some type of standing building which we don't have there. I will get your answers and we will have a full package to discuss next week.

E. RESOLVED: In accordance with the request therefore the Common Council approves Judy Ross at the Clinton County Health Department to use Trinity Park and the grassy area near the Lions Club Bandshell at MacDonough Monument for a training workshop on Wednesday, August 17, 2011 from 3pm – 5pm.

By Councilor Case; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves up to a \$20,000 increase in the mortgage loan from the City of Plattsburgh to Ames Furniture Co., Inc dba McFadden Furniture Inc. on the terms and conditions set forth in a report and recommendation from the Lake City LDC loan committee dated June 22, 2011, a copy of which is ordered made a part of the minutes of this meeting.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council accepts the quote from Adirondack Appraisal Services of \$1,450.00 for performing an Executive Summary Report appraisal on three City properties thereby establishing a potential sale value.

By Councilor Rabideau; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLUTION: Acquisition of Property for Green Street Walking Path

RESOLVED: The Common Council finds that a long abandoned rail road spur on the westerly side of Green Street is necessary to provide safe pedestrian access between Bridge Street and walking trails along the south bank of the Saranac River and a sidewalk along the northerly side of the former D&H Rail Yard; further

RESOLVED: The Corporation Counsel is authorized to commence legal proceedings under the New York Eminent Domain Law to acquire said abandoned rail spur for a public use.

By Councilor Tiffer; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. MAYOR HANDS DOWN THE PERMANENT APPOINTMENT OF BRANDEN ZYLSTRA TO THE POSITION OF FIRE FIGHTER EFFECTIVE JULY 18, 2011 PENDING THE SUCCESSFUL COMPLETION OF A ONE YEAR PROBATIONARY PERIOD.

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

8. TRAVEL REQUEST:

A. Motion to waive rule 4 for initial consideration "Request from Police Chief Desmond Racicot for Fire Fighter Branden Zylstra to attend the "NYS Academy of Fire Science" in Montour Falls, NY from July 24- October 6, 2011 at an estimated cost not to exceed \$3,000.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves Fire Fighter Branden Zylstra to attend the “NYS Academy of Fire Science” in Montour Falls, NY from July 24-October 6, 2011 at an estimated cost not to exceed \$3,000.

By Councilor Calnon; Seconded by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from Superintendent of Recreation Steve Peters, Stephanie Desautels, and Jen Boyer for the City of Plattsburgh to host the Plattsburgh Half Marathon on Sunday April 22, 2012 at 8 am.
2. Request from Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2011-7-1 “115kV Relay Testing.” Bid Opening Date: August 2, 2011 at 1:00 pm.
3. Request from Bill Treacy, Manager MLD to advertise for sealed bid for PMLD BID NO. 2011-7-2 “St. Lawrence 3 Circuit Switcher Installation.” Bid Opening Date: August 2, 2011 at 1:00 pm.
4. MAYOR HANDS DOWN THE PERMANENT APPOINTMENT OF BRANDEN ZYLSTRA TO THE POSITION OF FIRE FIGHTER EFFECTIVE JULY 18, 2011 PENDING THE SUCCESSFUL COMPLETION OF A ONE YEAR PROBATIONARY PERIOD. (Move to agenda under “Other Items” Letter I)
5. Request from Police Chief Desmond Racicot for Fire Fighter Branden Zylstra to attend the “NYS Academy of Fire Science” in Montour Falls, NY from July 24- October 6, 2011 at an estimated cost not to exceed \$3,000. (Move to agenda under “Travel Request” Letter A)
6. Request from Kevin Farrington City Engineer that Contract # 2011-04 “Boynton Avenue Improvements, Woodland Drive – North Catherine Street” be awarded to Luck Brothers Inc. for a total cost of \$215,720.
7. Request from Kevin Farrington City Engineer that Contract # 2011-16 “Saranac River Trail Multi-Use Path, Phase II SUNY Plattsburgh and Pine Street; PIN 7ME028.30A” be awarded to Luck Brothers Inc. for a total cost of \$1,169,169.
8. Request is made from the City Chamberlain to revise capital project H5110.32 by replacing the asphalt heater trailer item with a 40 inch asphalt road planer item which reduces the total project cost by \$4,000.

9. Request is made from the City Chamberlain to establish capital project H5110.29 Storm Sewer Construction & Separation for \$411,000 by using \$82,000 of funds previously borrowed in 2009 and advancing the remainder from the General Fund until additional debt is issued.
10. Request from Kevin Farrington City Engineer that Contract # 2011-09 "One New 2012 Tandem Axle truck with 25 Cubic Yard Rear Packer" be awarded to M.A. Jerry & Co. Inc. for a total cost of \$162,314.
11. Request from Bill Treacy Manager MLD that Bid# 2011-6-1 "Electric Meters Revenue Type" be awarded to GoTToGo Electric Inc. for a total cost of \$25,632.
12. Request is made from the City Chamberlain to transfer \$3,500 from the 2011 General Fund budget item described as Inter-fund Transfers to Capital to the building repairs item in the Municipal Buildings budget in order to fund the initial work to repair the City Hall Dome leak.
13. Request is made from the City Chamberlain to adjust the City Historian budget to reflect the total budget as a contract service expense instead of funding for an employee payroll and departmental expenses.

10. NEW BUSINESS: None

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer
 Roll call: Councilors Carpenter, Tiffer, Rabideau, Calnon, Case, Jackson
 (All voted in the affirmative)
MEETING ADJOURNED: 6:09 pm